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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,701	01/05/2001	Allan S. Hoffman	UWOTL119001	3998

26389 7590 07/23/2004

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EXAMINER

TRAN, MY CHAU T

ART UNIT	PAPER NUMBER
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1639

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO. 09755701	FILING DATE 1/5/01	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION HOFFMAN ET AL.	ATTORNEY DOCKET NO. UWOTL119001
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EXAMINER

MY-CHAU T. TRAN

ART UNIT

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1639

20040722

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Commissioner of Patents

- 1) Applicant's supplemental amendment filed 2/18/04 is acknowledged and entered.
- 2) Applicant species election with traverse filed 5/10/04 is acknowledge and the traversal regarding the species of agent, ligand, and carrier will be address in the First Office Action on the Merit.
- 3) Applicant elected with traverse the following elected species:
 - (a) hydrophobic component: the terpolymer of dimethylnminoethyl methacrylate (DMAEMA), butyl methacrylate (BMA), and styrene benzaldehyde, which is described in Example 2 and illustrated in Figures 4 and 5;
 - (b) hydrophilic component: polyalkylene oxide (e.g., PEG);
 - (c) pH-sensitive linkage: acetal;
 - (d) agent: therapeutic agents (e.g., oligonucleotides);
 - (e) ligand: antibody (e.g., IgG); and
 - (f) carrier: microparticles.

However, the species election is incomplete and confusing for the following reasons:

a) It is incomplete because applicant did not provide a single specific species of hydrophilic component as required. Applicant elected that the hydrophobic component is the terpolymer of dimethylnminoethyl methacrylate (DMAEMA), butyl methacrylate (BMA), and styrene benzaldehyde, which is not a single specific species as require. Thus the species election is incomplete.

b) It is confusing in that base on applicant elected species of hydrophilic component it is unclear how and/or where the hydrophilic component is attached to form the structure of the claimed composition (i.e. a hydrophilic conjugate having a hydrophobic component linked to a hydrophilic component by a pH-sensitive linkage). Thus the election that the hydrophobic component is the terpolymer of dimethylnminoethyl methacrylate (DMAEMA), butyl methacrylate (BMA), and styrene benzaldehyde is confusing.

Thus in order to further prosecution and comply with the species election for purpose of search applicant is requested to provide the structure of the single elected composition species with all variable group define (i.e. hydrophobic component, hydrophilic component, and pH-sensitive linkage) and their point of attachment(s) (i.e. all atoms and bonds of the single elected composition species should be shown).

4) Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Chau T. Tran whose telephone number is 703-305-6999. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang can be reached on 703-306-3217. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mct
July 22, 2004


PADMASHRI PONNALURI
PRIMARY EXAMINER